



Honorable Mike K. Nakagawa
United States Bankruptcy Judge



Entered on Docket
April 30, 2020

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

* * * * *

In re:) Case No.: 13-12466-MKN
WILLIE N. MOON and ADNETTE M.) Chapter 13
GUNNELS-MOON,)
Debtors.) Date: April 15, 2020
) Time: 2:30 p.m.
)

**INTERIM ORDER REGARDING MOTION FOR CONTEMPT AGAINST RUSHMORE
LOAN MANAGEMENT SERVICES FOR VIOLATION OF THE COURTS ORDER
CONFIRMING PLAN #2 AGAINST CREDITOR, RUSHMORE LOAN MANAGEMENT
SERVICES, LLC AND FOR ITS CONTINUING VIOLATION OF THE STAY AND
DAMAGES FOR BOTH AND TO CONFIRM AVOIDANCE OF RUSHMORES
SECOND MORTGAGE UNDER FRBP 5009(d)**

On April 15, 2020, the court heard the above-captioned Debtors' Motion for Contempt Against Rushmore Loan Services for Violation of the Courts Order Confirming Plan #2 Against Creditor, Rushmore Loan Management Services, LLC and for its Continuing Violation of the Stay and Damages for Both and to Confirm Avoidance of Rushmores Second Mortgage Under FRBP 5009(d) ("Motion"), Docket No. 180. The appearances of counsel were noted on the record.

For reasons indicated on the record, the court determined that relief under Federal Rule of Bankruptcy Procedure 5009(d) is appropriate with respect to the second mortgage encumbering the Debtors' residence located at 3391 Eagle Bend Street, Las Vegas, Nevada 89122. As to all other matters, the Motion was taken under submission.

IT IS THEREFORE ORDERED that the claim secured by the second deed of trust recorded on March 5, 2007, as instrument number 20070305-000-1111, has been SATISFIED, and that the lien under that second deed of trust against the property located at 3391 Eagle Bend Street, Las Vegas, Nevada 89122, Assessor's Parcel Number 161-16-511-03, more particularly described as:

STALLION MOUNTAIN-UNIT 5, PLAT BOOK 94
PAGE 56 LOT 477 BLOCK 1 SEC 16 TWP 21 ANG 62

is **RELEASED** pursuant to Rule 5009(d) of the Federal Rules of Bankruptcy Procedure.

IT IS FURTHER ORDERED that a copy of this order may be recorded forthwith in the official records of Clark County, State of Nevada.

Copies sent via CM/ECF ELECTRONIC FILING

Copies sent via BNC to:
WILLIE N. MOON
ADNETTE M. GUNNELS-MOON
3391 EAGLE BEND STREET
LAS VEGAS, NV 89122

#